UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA (Indianapolis Division)

DOCKET NO. 1:14-cv-01589-TWP-DKL RED BARN MOTORS, INC., PLATINUM MOTORS, INC., MATTINGLY AUTO SALES, INC., **CLASS ACTION Jury Trial Demanded** YOUNG EXECUTIVE MANAGEMENT * & CONSULTING SERVICES, INC., Individually, and on behalf of other members of the general public similarly situated v. COX ENTERPRISES, INC., COX AUTOMOTIVE, INC., NEXTGEAR CAPITAL, INC., F/K/A DEALER SERVICES CORPORATION, successor by merger with Manheim Automotive Financial Services, Inc., and JOHN WICK

DECLARATION OF LYNN E. SWANSON IN SUPPORT OF PLAINTIFFS' MOTION FOR CLASS CERTIFICATION AND APPOINTMENT OF CLASS COUNSEL

- I, Lynn E. Swanson, being first duly sworn upon my oath and under penalties of perjury, do hereby make the following statements based upon my own personal knowledge:
 - 1. My name is Lynn E. Swanson, and I am the above-named individual.
 - 2. I make this Declaration in support of Plaintiffs' Motion for Class Certification and Appointment of Class Counsel. I am the managing member of Jones Swanson Huddell & Garrison, L.L.C., one of the counsel of record for the named plaintiffs in the abovereferenced matter.
 - 3. I am an adult of sound mind, am aware of the matters set forth herein and the following facts and information of my own personal knowledge, and if called upon to testify to such matters, I could and would competently so testify.

- 4. I currently reside in New Orleans, Louisiana, where I have lived for most of my life.
- I graduated from Bryn Mawr College in 1989 with a B.A., and received my J.D. degree from Loyola University New Orleans College of Law in 1993.
- 6. I was admitted to the Louisiana Bar in October, 1993. I am admitted to practice before the United States Fifth Circuit Court of Appeals; the United States District Court, Middle District of Louisiana; the United States District Court, Eastern District of Louisiana; and the United States District Court, Western District of Louisiana. I was admitted to practice in those courts in 1993 and have been practicing in the fields of complex litigation for the past twenty-three years.
- 7. In the courtroom, my experience includes jury trials, bench trials, and appellate arguments.
- 8. From 1993 through 2003, I was an attorney with the Law Offices of Daniel E. Becnel, Jr. in Reserve, Louisiana, where my practice consisted exclusively of representing plaintiffs in large class actions and mass tort litigation, with a concentration on pharmaceutical and medical device class actions.
- 9. During the first ten years of my career, I worked most extensively on the following matters: In re Breast Implants Product Liability Litigation (MDL 926); Orthopedic Bone Screw Products Liability Litigation (MDL 1014); In re Diet Drug (Phentermine/Fenfluramine/Dexfedfluramine) Products Liability Litigation (MDL 1203); In re Vioxx Products Liability Litigation (MDL 1657); Scott et. al. v. The American Tobacco Co., et. al., Civil District Court, Parish of Orleans, State of Louisiana, Case No. 96–8461; and In re: Chemical Release at Bogalusa, Twenty-

- Second Judicial District Court, Parish of Washington, State of Louisiana, Division "C," Case No: 73341.
- 10. In the *Breast Implants* litigation, I worked for both the Plaintiffs' Steering Committee and a program set up by the Court to assist unrepresented women in furtherance of the statewide class action and its associated settlements. In the *Bone Screw* litigation, I worked on the Plaintiffs' Steering Committee as well. In the *Vioxx* litigation, I represented at least 400 clients. In *Phen Fen*, I led my firm's efforts in representing more than 300 plaintiffs. In *American Tobacco*, I worked extensively on pretrial matters. In the *Bogalusa* litigation, I devoted thousands of hours in deposition work and preparing the case for trial.
- 11. In 2003, I joined Jones, Verras, & Freiberg, LLC, where I continued my work on the *Vioxx* litigation, as well as working to establish the firm's commercial litigation practice. In 2007, the firm's name was changed to Jones Swanson Huddell & Garrison, L.L.C. and around that same time, I became the firm's managing member.
- 12. Since 2007, my practice has focused primarily on complex, non-formulaic business disputes, including several matters involving tax strategy advice and cases involving breach of fiduciary duty, fraud, conspiracy, breach of contract, and unfair trade practices. Beginning in 2010, I led my firm's efforts related to the 2010 Deepwater Horizon Disaster in the Gulf of Mexico and was appointed to co-coordinate the multidistrict litigation's GCCF Outreach Group. Since 2010, I have led my firm's successful efforts to recover economic damages on behalf of claimants in a wide variety of industries, including oil and gas, tourism and construction, as well as claims for general economic loss and property damage.

I AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING FACTS AND REPRESENATIONS ARE TRUE AND CORRECT.

Dated: 09/27/16

By: